

(A)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,

v.
MICHAEL MYINT

F I L E D

JAN 31 2008 *PH*
MICHAEL W. DUBBINS
CLERK, U.S. DISTRICT COURT

JAN 31 2008

No. 07 CR 799-19
Magistrate Judge Nan R. Nolan

FORFEITURE AGREEMENT

Pursuant to the Pretrial Release Order entered in the above-named case on December 10, 2007, and in consideration of bond being set by the Court for defendant MICHAEL MYINT in the amount of \$150,000 being fully secured by real property, **MICHAEL MYINT (GRANTOR)** hereby warrants and agrees:

1. MICHAEL MYINT warrants that he is the sole record owner and titleholder of the real property located at 428 North Noble Avenue, Unit #4, Chicago, Illinois, and described legally as follows:

UNIT 428-4 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN 428 N NOBLE CONDOMINIUM AS DELINEATED AND DEFINED IN THE DECLARATION RECORDED AS DOCUMENT NO. 0021209778, IN THE SOUTHEAST 1/4 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Index Number(s): 17-08-137-026-1004

MICHAEL MYINT warrants that there are two outstanding mortgages against the subject property and that his equitable interest in the real property approximately equals at least \$100,000.

2. MICHAEL MYINT agrees \$100,000 of his equitable interest in the above-described real property, shall be forfeited to the United States of America, should he fail to appear as required by the Court or otherwise violate any condition of the Court's order of release. MICHAEL MYINT further understands and agrees that, if he should violate any condition of the Court's release order, he will be liable to pay the difference between the bond amount of \$ 150,000, and his equitable interest in the property, and MICHAEL MYINT hereby agrees to the entry of a default judgment against him for the amount of any such difference. MICHAEL MYINT has received a copy of the Court's release order and understands its terms and conditions. Further, he understands that the only notice he will receive is notice of court proceedings.

3. MICHAEL MYINT further agrees to execute a quitclaim deed in favor of the United States of America, which deed shall be held in the custody of the Clerk of the United States District Court, Northern District of Illinois, until further order of the Court. MICHAEL MYINT understands that should he fail to appear or otherwise violates any condition of the Court's order of release, the United States will obtain an order from the Court authorizing the United States to file and record the above-described deed, and to take whatever other action that may be necessary to perfect its interest in the above-described real property and satisfy the obligation arising from a breach of the bond.

4. MICHAEL MYINT further agrees that he will maintain the subject property in good repair, pay all taxes and obligations thereon when due, and will take no action which could encumber the real property or diminish his interest therein, including any effort to sell or otherwise convey the property without leave of Court. Further, MICHAEL MYINT has executed a release in favor of the

United States so it can be verified that all obligations relating to the property are paid currently.

5. MICHAEL MYINT further understands that if he has knowingly made or submitted or caused to be made or submitted any false, fraudulent or misleading statement or document in connection with this Forfeiture Agreement, or in connection with the bond set for his release he is subject to a felony prosecution for making false statements and making a false declaration under penalty of perjury. MICHAEL MYINT agrees that the United States shall file and record a copy of this Forfeiture Agreement with the Cook County Recorder of Deeds as notice of encumbrance in the amount of the bond.

6. MICHAEL MYINT hereby declares under penalty of perjury that he has read the foregoing Forfeiture Agreement in its entirety, and the information contained herein is true and correct. Failure to comply with any term or condition of this agreement will be considered a violation of the release order authorizing the United States to request that the bond posted for the release of the defendant be revoked.

Date: 12-10-07


MICHAEL MYINT
Defendant/Grantor

Date: 12-10-07


Carl P. Bissell
Witness

Return to:
Bissell, US Attorney's Office
219 S. Dearborn Street, 5th Floor
Chicago, Illinois 60604